IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 24TH SEPTEMBER 2007 / 2ND ASWINA 1929

CRP.No. 843 of 2007()

EP 1/05 IN OS.1889/2003 of MUNSIFF COURT, VAIKOM
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REVN. PETITIONER: JUDGMENT DEBTOR/DEFENDANT

THOMAS, S/O. VARGHESE,
PROPRIETOR, M/S. CHOICE ENGINEERING CORPORATION,
C P I BUILDING, NORTH 4TH JUNCTION, VAIKKOM.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

RESPONDENT: DECREE HOLDER/PLAINTIFF

M/S. A-ONE PLASTICS,
MURIYAD P.O., IRINJALAKUDA, REP. BY ITS
PROPRIETOR T.S.JOHNY, S/O. RAPPAI,
THALIYATH HOUSE, IRINJALAKUDA, MUKUNDAPURAM TALUK.

THIS CIVIL REVISION PETITION HAVING COME UP FOR ADMISSION ON 24/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.Krishnan, J.

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C.R.P.No.843 of 2007

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Dated this the 24th day of September, 2007.

ORDER

This revision is preferred against the order directing arrest of the revision petitioner. A perusal of paragraph 7 of the judgment would reveal that the judgment debtor has admitted in cross-examination regarding the conduct of the industry and further that he is having 18 cents of landed property. If it is running at a loss, the burden is on his part to prove the same. So, I cannot find fault with the court below for arriving at a decision regarding the means of the revision petitioner. So, the said order is confirmed.

2. Learned counsel for the revision petitioner submits that if a breathing time is given, his client will pay the amount. I am persuaded to give him some time. Therefore, this Civil Revision Petition is disposed of by directing the revision petitioner to pay an amount of Rs.10,000/- (Rupees ten thousand only) on or before 23rd October, 2007 and to pay the balance amount on or

before 23rd November, 2007. If the revision petitioner fails to pay the amount, ordered on or before 23rd October, 2007, the benefit extended to him will stand cancelled and he can be arrested and proceeded with in execution of the decree.

Civil Revision Petition is disposed of as above.

M.N.Krishnan,
Judge.

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